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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU186312915US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: October 1, 2002 Signature: (Monica Thomas)

Docket No.: HO-P02039US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tetsuo Ashizawa, et al.

Application No.: 09/942,336 Group Art Unit: 1637

Filed: August 29, 2001 Examiner: Hashemi, Shar S.

For: DNA TEST FOR SCA-10

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, but before the mailing date of a Final Rejection or Notice of Allowance.

A copy of each reference on PTO/SB/08 is attached.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information

Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02039US1. A duplicate copy of this paper is enclosed.

Dated: Oct. 1, 2002

Respectfully submitted,

By _____

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#10 Attachment

1 of 1 DOCUMENT

City News Service

February 17, 1999, Wednesday

LENGTH: 343 words

HEADLINE: **Cedars-Sinai** Researchers Localize Gene Linked to Disease Affecting Gait

DATELINE: LOS ANGELES

BODY:

Neurogeneticists at **Cedars-Sinai** Medical Center have localized a gene linked to a rare form of inherited **ataxia,** a typically adult-onset disease that affects gait and movement, a spokesperson said today.

The finding of SCA10 is reported in this month's issue of the American Journal of Human Genetics, said **Cedars-Sinai** spokesperson Anita Roark.

The sixth spinocerebellar **ataxia** gene to be discovered by various research groups differs from the others in that it indicates a possible link with epilepsy, she said.

Dr. Stefan Pulst, who led the **Cedars-Sinai** team, said the connection ''makes isolation of the genetic defect so exciting because it will likely shed light on the much more common epilepsies.''

Researchers studied a Mexican-American family whose members suffered from the rare form of **ataxia** for about a year, Roark said. About 20 percent of the family also experienced seizures, she added.

Ataxia, which causes uncoordinated gait and movement, affects one in 10,000 people. Epilepsy affects one in 100, according to Roark.

The Pulst team has found two of the six **ataxia**-related genes, SCA2 and SCA10, Roark said.

Like SCA2, SCA10 ''shows anticipation, a phenomenon whereby onset of the disease is earlier and earlier with each successive generation,'' she said.

This may provide an important clue for the isolation of the gene, since it may indicate that the genetic defect is caused by unstable DNA ''repeats,'' Roark said.

The team localized the SCA10 gene on the long arm of chromosome 22, by conducting a search that included some 300 genetic markers covering the entire human genome, she said. It was the 40th of those that suggested the researchers were in the right region.

Interestingly, Roark added, the new gene is not close either to other **ataxia** genes or to any associated with epilepsy.

While it took the team five years to identify SCA2, researchers expect to identify SCA10 as soon as two years from now, Roark said.

NOTES:
Anita Roark of **Cedars-Sinai** Medical Center is at (310) 855-4039.

LOAD-DATE: February 18, 1999